

**In the United States Patent and Trademark Office**

Application No.: Not Yet Assigned  
Filed: Filed Herewith  
Title: "Automatic selection, recording and meaningful labeling of clipped tracks from broadcast media without an advance schedule"  
Applicant(s): Eric J. Godtland et al.  
Examiner: Not Yet Assigned  
Art Unit: Not Yet Assigned

Mailed 4/14/04  
Palo Alto, CA

**Information Disclosure Statement**

Commissioner of Patents and Trademarks  
Alexandria, VA 22313

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. It is requested that the document(s) on the enclosed form be made of record.

**Part I (Authority)**

This statement is filed pursuant to:

(X) 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or (3) before the mailing date of a first office action on the merits, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

( ) 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$240), or a certification according to 37 C.F.R. § 1.97(e).

( ) 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$130), a certification according to 37 C.F.R. § 1.97(e), and a petition requesting consideration of the information disclosure statement.

**Conditional Petition**

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

## **Part II (Payment)**

A check is enclosed as indicated:

- ☒ (X) No fee is due.
- ☐ ( ) The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$240).
- ☐ ( ) The petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$130).

## **Part III (Certification)**

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- ☒ (X) No certification is necessary.
- ☐ ( )
  - (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
  - ☐ ( ) The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
  - ☐ ( ) The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- ☐ ( ) (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

## **Part IV (Additional Statement)**

An additional statement regarding these items of information ( ) is, (X) is not, enclosed.

Copies of the cited documents (X) are enclosed, ( ) are of record in parent application Serial No. \_\_\_\_\_ and will be provided if the Examiner deems it convenient.

Dated:

4/14/04

Respectfully submitted,



Robert Lodenkamper  
Reg. No. 55,399  
2345 Yale Street, 2<sup>nd</sup> Floor  
Palo Alto, CA 94306  
tel: (650) 424-0100  
fax: (650) 424-0141

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE										ATTY. DOCKET NO. EGM-101		SERIAL NO. Not Yet Assigned	
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)										APPLICANT Eric J. Godtland			
										FILING DATE Filed Herewith		GROUP Not Yet Assigned	
<b>U.S. PATENT DOCUMENTS</b>													
EXAMINER INITIAL		DOCUMENT NUMBER						DATE	NAME			RELEVANT INFORMATION	
	A	5	4	1	8	6	2	2	05/23/1995	Takeuchi			358/335
	B	5	7	2	1	8	2	7	02/24/1998	Logan et al.			395/200.47
	C	5	7	2	6	9	0	9	03/10/1998	Krikorian			364/514 R
	D	5	7	3	2	2	1	6	03/24/1998	Logan et al.			395/200.33
	E	5	8	9	2	5	3	6	04/06/1999	Logan et al.			348/13
	F	5	9	1	8	2	2	3	06/29/1999	Blum et al.			707/1
	G	5	9	8	6	6	9	2	11/16/1999	Logan et al.			348/13
	H	6	0	8	8	4	5	5	07/11/2000	Logan et al.			380/200
	I	6	1	9	9	0	7	6	03/06/2001	Logan et al.			707/501
	J	6	2	8	2	2	0	9	08/28/2001	Kataoka et al.			370/498
	K	6	3	1	7	8	8	2	11/13/2001	Robbins			725/34
	L	6	3	2	0	6	2	3	11/20/2001	Cavallerano et al.			348/553
	M	6	4	0	7	7	5	0	06/18/2002	Gioscia et al.			345/716
	N	RE 36801						08/01/2000	Logan et al.			348/571	
	O	2003/0031248						02/13/2003	Yurt et al.			375/240.01	
	P	2003/0167174						09/04/2003	Dagtas et al.			704/275	
	Q	2003/0219229						11/27/2003	Gaub et al.			386/83	
<b>FOREIGN PATENT DOCUMENTS</b>													
		2- letter code	DOCUMENT NUMBER					DATE	COUNTRY			TRANSLATION	
												YES	NO
	I												
	J												
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>													
	R		http://www.gotuit.com/audio/agradio.html downloaded 04/07/2004 "Gotuit Audio" 3 pages										
	S		http://www.replay-radio.com/?src=GREC_RECRA6 downloaded 04/07/2004 "Replay Radio 4.1" Replay Radio - Internet Radio Recorder 14 pages										
	T		http://www.neurosaudio.com/ downloaded 04/07/2004 "Neuros" 8 pages										

	U		<a href="http://www.pogoproducts.com/products_2.html">http://www.pogoproducts.com/products_2.html</a> downloaded 04/07/2004 "Pogo Products" 3 pages
	V		<a href="http://www.wired.com/news/technology/0,1282,58769,00.html">http://www.wired.com/news/technology/0,1282,58769,00.html</a> downloaded 04/07/2004 "Wired News: A TiVo Player for the Radio" 3 pages
	W		Lisa Morgan et al., "Coming: Set-Top Box Recording," IEEE Spectrum, February 2002, pp. 18-21
	X		Yeong Kyeong Seong et al., "Design and Implementation of Hard Disk Drive Embedded Digital Satellite Receiver With File Management" IEEE Transactions on Consumer Electronics, Vol. 48, No. 1, February 2002, pp. 125-130

**EXAMINER**

**DATE CONSIDERED**

\* **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.